

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

UBER TECHNOLOGIES, INC., *et al.*,  
Defendants.

**DECLARATION OF MILES EHRlich  
IN SUPPORT OF DEFENDANTS'  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL THE DECLARATION  
OF ARTURO J. GONZALEZ IN  
RESPONSE TO DECLARATION OF  
JEFF NARDINELLI AND EXHIBITS  
THERETO**

2. I make this declaration in support of Defendants’ Administrative Motion to File Under Seal The Declaration Of Arturo J. Gonzalez In Response To Declaration Of Jeff Nardinelli And Exhibits Thereto, filed on September 19, 2017, Docket No. 1641 (the “Response Declaration”). The Administrative Motion seeks an order sealing the following documents based

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on Mr. Levandowski's designation of confidentiality:

Document	Portion to Be Filed Under Seal	Designating Party
Declaration of Arturo J. Gonzalez in Response to Declaration of Jeff Nardinelli ("Response Declaration")	Highlighted Portions	Anthony Levandowski (Yellow)

3. The yellow highlighted portions of the Response Declaration at ¶ 7 and ¶ 7(a) are not subject to sealing.

4. The yellow highlighted portion of the Response Declaration at ¶ 7(b) contains references to the contents of the Stroz report, which Mr. Levandowski has asserted and continues to assert is protected from disclosure under his Fifth Amendment privilege against self-incrimination under *Fisher v. United States*, 425 U.S. 391 (1975), and *United States v. Sideman & Bancroft, LLP*, 704 F.3d 1197 (9th Cir. 2013), as well as by the common interest/joint defense, attorney-client and attorney work product privileges. *See, e.g.*, Non-Party Anthony Levandowski's Motion for Protective Order, filed on October 19, 2017, Dkt. No. 1682. We ask that the confidentiality of highlighted portions of the Response Declaration at ¶ 7(b) be maintained until Mr. Levandowski's Motion for Protective Order is resolved.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct, and that this declaration was executed in Berkeley, California, on September 22, 2017.

Date: September 22, 2017

Respectfully submitted,

/s/ Miles Ehrlich

Miles Ehrlich  
Ramsey & Ehrlich LLP

*Counsel for Non-Party Anthony  
Levandowski*